



My journey in support of Intro 188

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By Eliezer Rodriguez

For the past five months, I have been going to various orientations for new executive officers and a few annual trade events. There are a lot of good people in this industry and all are willing to help a new executive through hurdles of the learning curve. April was a busy and exciting month for me. I spent three days in Washington, D.C. at an orientation for new association executive officers and government affairs directors. On the plane ride to D.C., I read an email I received from Blaise DiBernardo, Esq., Government Affairs Coordinator for New York State Association of REALTORS (NYSAR), on Intro 188, The Fair Cooperative Procedure Law. The email brought back a bad experience, but I was able to put it out of mind for the next few days.

When I returned to New York, I stayed busy helping out with the final preparation for our 89th annual award banquet on April 24th. The night of the banquet, I sat at the dais enjoying my first banquet as the new association executive officer for The Bronx-Manhattan North Association of Realtors (BMAR). I watched the dynamics of the 450 people that came out to celebrate our honorees. Among the honorees, elected officials and friends, we were joined by a few friends from the NYSAR; Margaret Hartman, president of NYSAR and Lizbeth English, Regional Vice president of NYSAR, and other association executives, who came to see how we treated our own in The Bronx.

Two days later, I was on my way to Albany to spend the morning with my new friends at NYSAR. I have a great deal of fire in my belly and when someone steps up to the plate to lend me a helping hand, a new friend is born. My new best friend is Duncan Mackenzie. Duncan is NYSAR's CEO and he filled my head with tons of valuable information. Luckily, I took my office manager, Janine Schall and Grace Rivera, coordinator of membership, MLS and education, with me to keep me sane. It was really a treat for us to sit down and meet with each director. At the end of our sessions, I was so motivated that I just wanted to go outside and run around the block a few times. Instead, Duncan treated us and the other directors to lunch. The lunch was delicious, the company was delightful and the conversation was plentiful.

On our drive back to New York, I thought about how I did briefly mention over lunch my personal experience relating to Intro 188. I remembered Blaise's email and how the hearing on Intro 188 was scheduled for April 30th. When I woke up the morning of April 30th, I felt compelled to testify and that afternoon I appeared before the members of the city council and I told them:

Good afternoon ladies and gentleman. I wish to thank this committee of the city council for the opportunity to testify. My name is Eliezer Rodriguez. I am an attorney and the new association executive officer for the Bronx-Manhattan North Association of Realtors. When I went to bed last night, I did not think that I would wake up feeling compelled to testify today. But, here I am. I am here as a private citizen to share a personal Bronx-tale in support of Intro 188.

For the past 4 ½ years, I have been troubled by the way a coop board handled a transaction where I was a co-buyer. You might have heard of my friend Dr. Elias "Mr. Bronx" Karmon. Since his 75th birthday, he would celebrate his birth in the form of a fundraiser. He would then donate all the raised funds to non-profits located in the Bronx. Mr. Bronx's mind was sharp, but his 98 year old body was failing him. For the last five years of his life, if Mr. Bronx was seen in public it was because I took him there. He called me in April of 2008 and he said "Eliezer, I want you to be a buyer of my Coops in Thwaites Place." Mr. Bronx then gave me a list of non-profits that he wanted me to support once he was no longer able or alive. The sale was to be the vehicle for him to continue giving through me. In June of 2008, I entered into a contract of sale as a co-buyer for the Thwaites Place Co-ops. The contract was contingent on Board approval.

The application was submitted to the board for review in July of 2008. For the next two months, numerous calls were made to the board's president regarding the board interview. The president of the coop did not return our calls. Dr. Elias "Mr. Bronx" Karmon passed away on October 21, 2008, 113 days after we submitted our application to the coop board for approval. The board finally scheduled our interview two months after Mr. Bronx's passing. Our application was rejected without an explanation. The interview itself was a joke and no relevant questions were asked to justify the rejection.

The fact that Mr. Bronx's son-in-law was on the board and did not want the sale to go through, might have been a factor; the fact that he was Jewish and I am Puerto Rican might have been a factor. I believe with all my heart, if the board had rejected our application while Mr. Bronx was alive, Mr. Bronx would have taken other measure to ensure the end result was to his satisfaction. No one, absolutely no one, under any circumstances should have to wait 160 days for a board application to be rejected. In this case, my dear friend, Mr. Bronx, died waiting.

Intro 188, among other things, calls for the board of directors or managing agents of cooperatives to provide a written determination as to whether an application to purchase an apartment has been approved, disapproved or approved with conditions within 45 days of the receipt of a completed application. If a written determination is not received by an applicant, a request for written determination must be made within ten day after the initial forty-five day period. If the applicant does not receive a written determination within ten days, such applicant will be deemed approved to purchase the cooperative apartment for which the application was submitted.

To this day, I live with regret for not having the money to fight the Coop board back in 2008. The extra money we had was spent on appraisal and bank fees. I am, however, fighting back now by sharing my experience in the hopes of helping others. The cooperative application process has to be uniformed and more transparent. In my opinion, Intro 188 does not go far enough, but it is a start.

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